

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

ERIC SUBER and MARY LYNNE
FORREY-SUBER, on their own behalf and on
behalf of all others similarly situated,

Plaintiffs,

v.

LIBERTY MUTUAL INSURANCE GROUP,
INC., d/b/a Liberty Mutual Insurance; LIBERTY
MUTUAL INSURANCE COMPANY; SAFECO
INSURANCE COMPANY OF AMERICA; and
LM GENERAL INSURANCE COMPANY,

Defendants.

Case No. 2:21-cv-4750-GAM

**NON-INSURING DEFENDANTS’
MOTION TO DISMISS PLAINTIFF’S COMPLAINT**

Under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(2), Defendants Liberty Mutual Group Inc.,¹ Liberty Mutual Insurance Company, and Safeco Insurance Company of America (“Non-Insuring Defendants”) move to dismiss Plaintiffs’ Complaint for lack of subject-matter jurisdiction and lack of personal jurisdiction as set forth more fully in the accompanying Memorandum of Law.

Dated: January 10, 2022

/s/ Tiffany Powers, Esquire
Tiffany Powers (PA ID: 310263)
ALSTON & BIRD LLP
One Atlantic Center
1201 W Peachtree St NE, Suite 4900
Atlanta, GA 30309

¹ There is not a Liberty Mutual entity named “Liberty Mutual **Insurance** Group, Inc.” For purposes of this motion the Non-Insuring Defendants assume Plaintiffs intended to name “Liberty Mutual Group Inc.” If this assumption is incorrect, the Non-Insuring Defendants are happy to submit a supplemental motion and brief on the issue of mis-naming entities.

Tel.: 404-881-7000
tiffany.powers@alston.com

/s/ Eileen M. Bradley, Esquire
Eileen M. Bradley (PA ID: 326457)
KENNEDYS CMK LLP
1600 Market Street, Suite 1410
Philadelphia, PA 19103
Tel.: (267) 479-6700
Eileen.Bradley@kennedyslaw.com

Attorneys for Defendants

*Liberty Mutual Group Inc., Liberty Mutual
Insurance Company, Safeco Insurance Company of
America, and LM General Insurance Company*

Liberty Mutual Group Inc., Liberty Mutual Insurance Company, Safeco Insurance Company of America, and LM General Insurance Comp